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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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NOVELL, INC. and VOLERA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

NETWORK CACHING TECHNOLOGY,
L.L.C.,

Plaintiff,

v.

NOVELL, INC., VOLERA, INC., INKTOMI
CORPORATION, and CACHEFLOW, INC.,

Defendants.

No. CV 01-2079 (VRW)

JOINT REQUEST FOR DISMISSAL
OF COMPLAINT AGAINST
DEFENDANTS NOVELL, INC. AND
VOLERA, INC.

Pursuant to Federal Rule of Civil Procedure 41, Plaintiff Network Caching Technology, L.L.C. ("NCT") and defendants Novell, Inc. and Volera, Inc. (collectively, "Novell") hereby jointly request that the complaint, and all claims and counterclaims asserted in the above referenced action by and between NCT and Novell be dismissed with prejudice.

This request for dismissal is in accordance with, and in order to effectuate, a settlement between Novell, on the one hand, and NCT, on the other hand. Each party shall bear its own fees and costs with respect to this action.

1 Nothing in this request for dismissal is intended to affect the claims of NCT as against
2 Inktomi Corporation and Cacheflow, Inc.

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4 Dated: October 14, 2003

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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6
7 By: /s/ James C. Otteson
James C. Otteson

8 Attorneys for Defendants and Counterclaimants
9 NOVELL, INC. and VOLERA, INC.

10 Dated: October 13, 2003

JONES, DAY, REAVIS & POGUE

11
12 By: /s/Blaney Harper (original signature on file)
Blaney Harper

13 Attorneys for Plaintiff
14 Network Caching Technology, LLC

15
16
17 IT IS SO ORDERED.

18
19 DATED: _____



United States District Judge